

Appl. No. 09/929,733
Atty. Docket No. 8206M
Amdt. dated 2/13/2008
Reply to Office Action of 04/18/2007
Customer No. 27752

REMARKS

Claim Status

New Claims 57 - 88 are pending in the present application. Claims 1 - 27 and 40 - 56 have been cancelled without prejudice.

Support for Claim 57 is available in the Specification as filed, *inter alia*, at page 9, lines 11 - 20, page 13, lines 18 - 24, page 14, lines 1 - 5, and FIG. 4. Support for Claim 58 is available in the Specification as filed at page 13, lines 1 - 15. Support for Claim 59 is available in the Specification as filed at page 9, lines 27 - 28. Support for Claim 60 is available in the Specification as filed at page 11, line 24. Support for Claim 61 is available in the Specification as filed at page 11, lines 26 - 29. Support for Claim 62 is available in the Specification as filed at page 12, lines 3 - 5. Support for Claim 63 is available in the Specification as filed at page 12, lines 6 - 7. Support for Claim 64 is available in the Specification as filed at page 13, lines 12 - 16.

Support for Claim 65 is available in now cancelled Claim 2. Support for Claim 66 is available in now cancelled Claim 3. Support for Claim 67 is available in now cancelled Claim 4. Support for Claim 68 is available in now cancelled Claim 5. Support for Claim 69 is available in now cancelled Claim 6. Support for Claim 70 is available in now cancelled Claim 14. Support for Claim 71 is available in now cancelled Claim 15. Support for Claim 72 is available in now cancelled Claim 16. Support for Claim 73 is available in now cancelled Claim 17. Support for Claim 74 is available in now cancelled Claim 18. Support for Claim 75 is available in now cancelled Claim 28. Support for Claim 76 is available in now cancelled Claim 40. Support for Claim 77 is available in now cancelled Claim 44. Support for Claim 78 is available in now cancelled Claim 45. Support for Claim 79 is available in now cancelled Claim 46. Support for Claim 80 is available in now cancelled Claim 47. Support for Claim 81 is available in now cancelled Claim 48. Support for Claim 82 is available in now cancelled Claim 49. Support for Claim 83 is available in now cancelled Claim 50. Support for Claim 84 is available in now cancelled Claim 51. Support for Claim 85 is available in now cancelled Claim 52. Support for Claim 86 is available in now cancelled Claim 53. Support for Claim 87 is available in now cancelled Claim 55. Support for Claim 88 is available in now cancelled Claim 56.

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No additional claim fee is believed to be due.

It is believed that these amendments introduce no new matter and should be allowed.

Rejection Under 35 U.S.C. § 112, First Paragraph

The Office Action at page 2, paragraph 7 states that "Claims 1-6, 12, 14-18, 28, 40, and 43-56 are rejected under 35 U.S.C. 112, first paragraph, as being indefinite for failing to comply with the written description requirement." The Office Action in the same paragraph goes on to allege: "The limitation 'a first outer layer and a second outer layer, wherein the first outer layer is bonded to the second outer layer through the plurality of apertures in the viscoelastic material, forming a plurality of bonding sites' in claim 1 (last three lines) is not supported in the specification and is therefore considered as new matter."

Applicants respectfully submit that new Claim 57 complies with the written description requirement and is in proper condition for allowance. Therefore, Applicants request that this objection be withdrawn.

Rejection Under 35 U.S.C. § 112, Second Paragraph

The Office Action, dated August 31, 2006, at page 2, paragraph 4 states that "Claims 1-7, 10-28, 40-42 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention."

Applicants respectfully submit that new Claim 57 is not indefinite and is in proper condition for allowance. Therefore, Applicants request that this objection be withdrawn.

Rejection Under 35 U.S.C. § 103(a) Over Rogers

Claims 1-7, 10-28, and 40-42 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 98/44185 (hereafter "Rogers"). Applicants respectfully disagree and submit that Claim 57 has been added and is in condition for allowance.

To establish a *prima facie* obviousness of a claimed invention, all the claim elements must be taught or suggested by the prior art reference. *See In re Royka*, 490 F.2d 981 (C.C.P.A. 1974); MPEP § 2143.03.

Applicants aver that Rogers fails to teach or suggest all of the elements of Claim 57 and, therefore, does not establish a *prima facie* case of obviousness. Claim 57 recites:

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A cleaning sheet comprising: at least three layers comprising: a first outer layer; a second outer layer; and a third central layer comprising a viscoelastic material in the form of a sheet, wherein said third central layer is disposed between said first outer layer and said second outer layer, and a liquid cleaning/refreshment composition releasably absorbed in said viscoelastic material; wherein said cleaning sheet comprises a longitudinal direction and said at least three layers form a plurality of apertures comprising: a perimeter having a length dimension corresponding to said longitudinal direction and a width dimension orthogonal to said longitudinal direction; and wherein said at least three layers are thermally bonded at portions of said perimeter corresponding to said length dimension and not thermally bonded at portions of said perimeter corresponding to said width dimension." (Emphasis added.)

Although Rogers discloses a covered cleaning sheet, Rogers fails to teach or suggest a cleaning sheet comprising at least three layers forming a plurality of apertures, and wherein said three layers are thermally bonded as recited in Claim 57. The Office Action at page 5, first three lines, alleges that Rogers discloses that the "holes are punched in the carrier sheet in order to minimize its tendency to re-fold in-use." Applicants point out, however, that although the Rogers sheet can have holes punched therethrough, Rogers fails to teach or suggest a cleaning sheet comprising at least three layers forming a plurality of apertures, wherein said at least three layers are thermal bonding at portions of the perimeter of the aperture. Moreover, Rogers fails to teach or suggest that the apertures are thermally bonded at portions of the perimeter corresponding to the length dimension corresponding to the longitudinal direction of the cleaning sheet. See Claim 57.

Applicants further submit that: "One beneficial property of such a laminate web is that once apertured, fluid communication with the central layer is facilitated. Thus, an absorbent central layer 30 can be used between two relatively non-absorbent outer layers, and the laminate 10 could be an absorptive wiper with a relatively dry to the touch outer surface." See Specification as filed at page 14, line 5 - 9.

Since Rogers fails to teach or suggest all the elements of the presently recited invention, Claim 57 and all claims dependant therefrom are not obvious. Applicants accordingly request that this rejection be withdrawn and the claims be allowed.

With regard to all claims not specifically mentioned, these are believed to be allowable not only in view of their dependency on their respective base claims and any intervening claims, but also for the totality of features recited therein.

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All claims are believed to be in condition for allowance. Should the Examiner disagree, Applicants respectfully invite the Examiner to contact the undersigned agent for Applicants to arrange for a telephonic interview in an effort to expedite the prosecution of this matter.


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CONCLUSION

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the above mentioned rejections. Early and favorable action in the case is respectfully requested. Should any additional fees be required, please charge such fee to Procter & Gamble Deposit Account No. 16-2480.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

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